

United States District Court, Northern District of Illinois

Name of Assigned Judge or Magistrate Judge	SUZANNE B. CONLON	Sitting Judge if Other than Assigned Judge	
CASE NUMBER	11 C 3330	DATE	6/15/2012
CASE TITLE	Charles D. Hardig (#2009-0009731) vs. Illinois Department of Corrections, et al.		

DOCKET ENTRY TEXT:

The plaintiff's renewed motion for leave to appeal *in forma pauperis* [#97] is granted. In accordance with plaintiff's PLRA analysis, plaintiff shall pay a partial initial filing fee in the amount of \$49.77. The trust fund officer at the plaintiff's place of confinement is authorized and ordered to make deductions and payments as set forth herein. The clerk is directed to send copies of this order to the trust fund officer at the Will County Adult Detention Center and the PLRA Attorney, U.S. Court of Appeals for the Seventh Circuit. The motion hearing previously noticed for June 19, 2012, at 9:00 a.m. is vacated.

■ [For further details see text below.]

Docketing to mail notices.

STATEMENT

The plaintiff, an inmate in the custody of the Will County Department of Corrections, has brought this civil rights action pursuant to 42 U.S.C. § 1983. The plaintiff claims that the defendants, health care providers at the Will County Jail and the Menard Correctional Center, violated the plaintiff's constitutional rights by acting with deliberate indifference to his medical needs. By Minute Order of March 12, 2012, the court granted the Will County defendants' motion to dismiss the complaint as barred by the statute of limitations; on April 23, 2012, the court granted the final defendant's motion to dismiss on the same grounds.

The plaintiff has filed a notice of appeal from the final judgment and seeks leave to proceed on his appeal *in forma pauperis*. On April 27, 2012, the court granted the plaintiff's motion for leave to appeal *in forma pauperis*; however, the court neglected to assess an initial partial filing fee and order installment payments, as required by the Prison Litigation Reform Act. The plaintiff, through counsel, has filed a renewed i.f.p. application with the information required by 28 U.S.C. § 1915(a)(2).

The plaintiff's renewed motion for leave to appeal *in forma pauperis* is granted. Pursuant to 28 U.S.C. § 1915(b)(1), the court assesses the plaintiff an initial partial filing fee of \$9.95. The trust fund officer at the plaintiff's place of incarceration is authorized and ordered to collect, when funds exist, the partial filing fee from the plaintiff's trust fund account and pay it directly to the clerk of court. After payment of the initial partial filing

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STATEMENT (continued)

fee, the trust fund officer at the correctional facility where the plaintiff is confined is directed to collect monthly payments from the plaintiff's trust fund account in an amount equal to 20% of the preceding month's income credited to the account. Monthly payments collected from the plaintiff's trust fund account shall be forwarded to the clerk of court each time the amount in the account exceeds \$10 until the full \$455 appellate docketing fee is paid. All payments shall be sent to the Clerk, United States District Court, 219 S. Dearborn St., Chicago, Illinois 60604, attn: Cashier's Desk, 20th Floor, and shall clearly identify the plaintiff's name and the case number assigned to this action. These deductions and payments shall be in addition to any other deductions and payments previously ordered by this or any other court with respect to this or any other action. This payment obligation will follow the plaintiff wherever he may be transferred.

The clerk is directed to send copies of this order to the trust fund officer at the Will County Jail and the PLRA Attorney, United States Court of Appeals for the Seventh Circuit.